

**SOAH DOCKET NO. 582-20-1895
TCEQ DOCKET NO. 2019-1156-IWD**

**APPLICATION OF PORT OF
CORPUS CHRISTI AUTHORITY OF
NUECES COUNTY FOR TPDES
PERMIT NO. WQ0005253000**

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**BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS**

**ORDER NO. 12
GRANTING MOTION TO EXTEND EXECUTIVE DIRECTOR'S
TECHNICAL REVIEW PERIOD; REQUIRING STATUS REPORT**

On July 21, 2021, the Executive Director (ED) of the Texas Commission on Environmental Quality (Commission) filed a motion requesting that the ED's technical review of the Port of Corpus Christi Authority's (Port Authority's) revised application information be extended until 30 days after the ED has received all information necessary to complete his review. The motion also requests that the Administrative Law Judges (ALJs) not set a preliminary hearing until at least 30 days after the ED has completed his review. The Port Authority, Port Aransas Conservancy (PAC), Office of Public Interest Counsel, and Audubon Texas support the requested extension. No responses to the motion were filed.

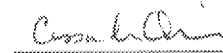
The ED's motion explains why additional time is needed for the ED to complete his technical review. The Commission issued an Interim Order on June 1, 2021, remanding the Port Authority's application to the State Office of Administrative Hearings to take additional evidence. The order required the Port Authority, within 30 days, "to provide revised information to all parties including the depth of the channel, site-specific ambient velocity, and the depth of the diffuser." The Port Authority provided the requested information on June 25, 2021, and the ED's staff began their review. However, the ED's staff determined that additional information was necessary to complete the review and perform an antidegradation review. The ED requested additional information from the Port Authority on July 14, 2021, and July 15, 2021, and had not received the information as of the date of the motion.

The ALJs conclude that the ED's motion has merit, and it is **GRANTED**. The parties shall file a status report **no later than September 15, 2021**, updating the ALJs on the status of the ED's review and whether a preliminary hearing should be set.

The ALJs will address PAC's pending motion to certify questions in a separate order.

SIGNED July 28, 2021.


REBECCA S. SMITH
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS


CASSANDRA QUINN
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS